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C O N F I D E N T I A L SECTION 01 OF 02 ISLAMABAD 002532

SIPDIS

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SUBJECT: LAWYERS' MOVEMENT: ON THE MOVE OR OUTMANEUVERED?

REF: ISLAMABAD 2139

Classified By: A/DCM E. Candace Putnam, Reasons 1.4 (b), (d)

¶1. (C) Summary: The lawyers' movement met July 19 to renew its call for restoration of the pre-November 3 judiciary, setting a deadline of August 14 (Pakistan Independence Day). This time, they threatened civil disobedience as well as marches and boycotts. But the Pakistan People's Party (PPP) is countering via the umbrella Pakistan Bar Council (PBC); 15 of 21 governors are ready to remove movement leader Aitzaz Ahsan as Supreme Court Bar Association (SCBA) President. End summary.

Lawyers' Movement: Fresh Threats

¶2. (SBU) On July 19, the All Pakistan Lawyers' Representative Conference announced it would soon turn up the heat on the PPP-led government if the pre-November 3 judges were not restored to the bench. Its statement threatened to stage sit-ins (including in front of the National Assembly), boycott court proceedings, and organize marches. The organization also said it would engage in civil disobedience, a new threat by the lawyers' movement, whose June 14 "long march" was peaceful (reftel).

¶3. (SBU) The conference set August 14 (Pakistan Independence Day) as the deadline for the GOP to reinstate the judges. However, it also deferred making this specific strategy "official" until the National Coordination Council of Lawyers meets on August 15, leaving an opening that such threats will be tempered. Meanwhile, SCBA President Aitzaz Ahsan and former Supreme Court Chief Justice Iftikhar Chaudhry tour Pakistan, addressing lawyer groups in Multan (southern Punjab) and later in Karachi (Sindh).

Counter-Move

¶4. (SBU) In response, six governors of the PBC board, led by PPP Senator (and probable Attorney General designate) Latif Khosa, immediately called for a July 26 governors' meeting to question the recent decisions that "the SCBA has made unilaterally." The group is seeking an official notice against SCBA President Aitzaz Ahsan.

¶5. (C) Speaking to PolOff July 25, Khosa revealed that Ahsan had met with PPP leader Asif Zardari the night before. Ahsan reportedly refused to back down from the July 19 threat by the lawyers' movement, insisting that, specifically, Chaudhry be reinstated as Supreme Court Chief Justice. "This

(Chaudhry's reinstatement) is not going to happen," Khosa insisted.

¶6. (C) Khosa now believes the PBC board might decide on July 26 to remove Ahsan from his SCBA leadership post. Khosa is counting on support from 15 of the board's 21 members, who are increasingly fed up with Ahsan's grandstanding. In reply, Ahsan's senior law associate Gohar Ali Khan told PolOff that Ahsan's removal was not possible; even if the PPP's Khosa has the votes, "the lawyers won't follow him."

Crack in Judges' Reinstatement

¶7. (SBU) Local media also reported this week that the GOP hopes to "re-appoint" to the Sindh and Lahore High Courts up to nine deposed judges. They reportedly would need to take a new oath, and have also been offered lucrative settlement packages. The SCBA has already issued warnings against these judges.

¶8. (SBU) Comment: Ahsan's position in the PPP has increasingly weakened. Before her death, Benazir Bhutto saw Ahsan as a potential rival and did not support his advocacy on behalf of Chaudhry. Ahsan, this week, openly clashed with Zardari supporters at a PPP Central Executive Committee (CEC) meeting. The PPP may be testing the waters for bringing back the deposed Supreme Court justices (sans Chaudhry) with the proposed "re-appointment" (reinstatement) at the Sindh and Lahore High Courts. End comment.

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